

**DEPARTMENT OF HEALTH  
BOARD OF PHYSICAL THERAPY  
MEETING/RULES WORKGROUP SESSION MINUTES**

Tuesday, April 1, 2003

Wyndham Hotel, 18118 Pacific Highway South, SeaTac, WA.

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On April 1, 2003, the Board of Physical Therapy met at the Wyndham Hotel, 18118 Pacific Highway South, SeaTac, WA. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

**MEMBERS PRESENT**

Samuel Stockton, PT, Chair  
Shawn Quigley, PT, Vice Chair  
Chuck Martin, PT  
Teri Yap-Yoshikawa, PT

**STAFF PRESENT**

Kristin Hamilton, Program Manager  
Kris Waidely, Program Manager  
Lisa Pannone, Staff Attorney

**GUESTS PRESENT**

Patricia Muchmore, PT

**OPEN SESSION**

**Tuesday, April 1, 2003 – 10:00 AM**

**1. CALL TO ORDER**

- 1.1 Approval of Agenda  
Agenda approved as published.
- 1.2 Approval of Meeting Minutes  
Minutes approved as presented with minor typographical correction.

**2. STIPULATED AGREEMENT PRESENTATION**

- 2.1 LaVerne J. Mendel, Applicant  
Candidate No. CA00003987  
Docket No. 02-09-A-1006PT  
  
Staff Attorney Lisa Pannone presented the proposed Stipulated Findings of Fact, Conclusions of Law, and Agreed Order for the Board's consideration.  
  
The Board went into closed session to consider the agreed order.  
  
The Order was approved and signed as presented.

**3. UPDATE ON ATTENDANCE AT FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY (FSBPT) SPRING EDUCATION MEETING**

Chuck Martin, PT, provided a report on information received at the FSBPT Spring Education Meeting in Salt Lake City, Utah.

Mr. Martin provided information regarding training on the FARB Model Code of Conduct and training on how a typical disciplinary process might work.

**4. PLANNING FOR CREDENTIALS EVALUATORS REVIEW PROCESS**

The Board discussed plans for its regular review of the companies that provide credentials evaluations for applicants from non-approved education programs.

It was the Board's decision to use only applications that have already been reviewed by ICA for licensure and to forward those applications to the Foreign Credentialing Commission on Physical Therapy (FCCPT) and the International Consultants of Delaware (ICD).

Application types: Applications where D grades have been awarded;  
Applications that have been found to be essentially equivalent, but are missing the four professional courses that are often missing; and cases where the education was found to be not equivalent at all.

**5. PLANNING FOR PRESENTATION AT THE PHYSICAL THERAPY ASSOCIATION OF WASHINGTON (PTWA) SPRING MEETING**

The Board finalized its preparations for the panel presentation being given by the Board at the PTWA Spring Meeting in Yakima on May 2, 2003. The presentation will cover the topics, "What is the relationship with PTWA?", "Pending Rules", "Current National Trends" and "How are we collaborative?"

Ms. Hamilton will update the PowerPoint presentation to reflect the current changes and send to the Board for review. The final version will be sent to PTWA by April 22.

**6. STUDENT PRESENTATION EVALUATION**

The Board discussed the presentations given to PT and PTA students of Washington each year, making updates and changes to the presentation. Ms. Hamilton will incorporate the Board's changes into the student presentation materials.

**7. LETTER FROM CHRISTINE LARSON, PT**

The Board reviewed a follow-up letter from Christine Larson, PT, which asked the Board to help determine whether or not there are funds available to practitioners who fulfill their mandatory reporting obligations and then are sued in civil court.

Ms. Hamilton will send a letter to Ms. Larson on behalf of the Board. While the Board is empathetic to Ms. Larson's situation, the Board, the Department of Health, and the Attorney General's Office do not have authority to provide pay out of State funds to private citizen in a civil claim.

**8. JURISPRUDENCE EXAM REVIEW**

This topic will be discussed in closed session at the June meeting. Copies of the exam are exempt from public disclosure and discussion regarding the exam should be held in closed session.

Board members will develop new questions and forward to staff for collation.

## **9. RULES LANGUAGE REVIEW**

The Board reviewed and heard comments on draft rules language concerning several rules. The comments and any decision regarding language are as follows:

WAC 246-915-010

- “Would it be better to provide a more complete definition of PT assistant and PT aide?”

WAC 246-915-020

- “Does this provide an absolute barrier? Will the purpose be defeated by the fact that a PT program may not accept a student or that the program may simply provide credit for coursework taken previously?”
- “Does FSBPT provide a report on the areas of deficiency for examinees that fail the exam?”
- “The rule as it stands is fine.”
- DECISION: The Board voted to STRIKE the proposed amendment to the current rule.

WAC 246-915-078

- “Why is there a concern that an applicant may have held an interim or temporary permit in another state?”
- “This language may be a barrier to applicants who have applied simultaneously in more than one state. This does not appear to be supported by statute.”
- “Take out the added language ‘or an applicant who has not previously held an interim or temporary permit in another state.’”
- “Why is the language stricken in 3.A? Because of timing of examinations now.”
- “Why is this being revisited yet again? This seems to be being reviewed over and over again.”
- DECISION: The Board voted to STRIKE the proposed new language in 1st paragraph of 078.

WAC 246-915-220

- “RCW 18.130.080 and 070 state that ‘conviction, determination, or finding of unprofessional conduct’ or ‘a person may not be able to practice his or her profession with reasonable skill and safety to consumers as a result of a mental or physical condition.’”
- DECISION: The Board decided to amend the amended language on 220 to “Licensees shall report the conviction, determination, or finding of

unprofessional conduct.” and “Licensees shall report when they have knowledge that a person may not be able to practice his or her profession with reasonable skill and safety to consumers as a result of a mental or physical condition.”

WAC 246-915-120

- “Rule language needs to reflect the CAPTE checklist, both current and baccalaureate if decisions are based on CAPTE standards.”
- “General education requirements should maybe be more generalized than specific.”
- “Should the requirement simply be 50 hours in the areas of Humanities, Physical/Biological Sciences, and Social/Behavioral Sciences or should it be broken down to specific course hours as it is now?”
- DECISION: The Board decided to Remove the words “organic and inorganic” from 7,b,i.
- DECISION: Withhold this rule from packet if, after review, the AAG so recommends.

WAC 246-915-182

- DECISION: The Board decided to pull the proposed WAC 246-915-182 from rules package for further review and language drafting.

DECISION: The Board decided to move forward with the current rules package with the noted changes and exceptions.

**10. PROGRAM REPORT**

10.1 Report on Attendance at FSBPT Conference

Ms. Hamilton provided a report to the Board regarding her attendance at the FSBPT meeting in Salt Lake City, UT.

10.2 Legislation Update

Ms. Hamilton informed the Board that SHB 1498 regarding the PT practice act is “dead” for this session

10.3 Planning for Upcoming Meetings

The following items are set for the June meeting in Spokane:  
Jurisprudence exam, rules hearing if possible, introduction of new public member if appointed, and rules drafting session for sexual misconduct rules and education rules if necessary.

10.4 Provided for the Board’s Information

- Budget status reports (most current)
- FSBPT February 2003 News Brief

## **CLOSED SESSION**

### **11. REVIEW OF APPLICATIONS**

- Applicant A: Application denied. Degree obtained is not a university/college level baccalaureate degree or substantially equivalent to a baccalaureate degree.
- Applicant B: Application denied pending completion of general education requirements, wound care, pharmacology, and geriatrics coursework.
- Applicant C: Application approved pending verification from ICA that pediatrics requirement was addressed in the evaluation.
- Applicant D: Proposed training plan approved. Applicant must provide 2-page synopsis of book content.

### **12. DISCIPLINARY CASE REVIEWS**

- Case No. 2003-02-0002PT  
ACTION: Forward to Investigations to coordinate with DSHS
- Case No. 2003-02-0003PT  
ACTION: Close, below threshold, no violation.
- Case No. 2002-07-0003PT  
ACTION: Close, after investigation, no violation.
- Case No. 2002-07-0004PT  
ACTION: Close, after investigation, no violation.
- Case No. 2002-08-0003PT  
ACTION: Close, below threshold, insufficient evidence.

### **13. CONTINUING EDUCATION AUDITS**

Audit K - Open complaint, refer to legal for Notice of Correction

Audit Z - Open complaint, refer to legal for Notice of Correction

Goals and objectives for all audits reviewed must be received within 30 days. If not, cases will be referred to legal for Notice of Correction.

### **14. ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:14 p.m.

Respectfully submitted:

Approved:

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Signature on file

Kristin Hamilton  
Program Manager

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Signature on file

Sam Stockton, PT, Chair  
Board of Physical Therapy